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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In re:

BLOCKFI INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-19361-MBK
(Jointly Administered)

Honorable Michael B. Kaplan, Chief Judge

**CERTIFICATION OF WILSON COTRIM IN RESPONSE TO
DEBTORS' SEVENTH OMNIBUS OBJECTION TO CERTAIN CLAIMS**

WILSON COTRIM, of legal age, hereby states as follows:

1. I am an individual residing in the State of Arizona.
2. I am a creditor in the above-captioned jointly administered Chapter 11 cases (collectively, the "Bankruptcy Case") commenced on November 28, 2022 (the "Petition Date").
3. I make this Certification in response to the *Seventh Omnibus Objection to Certain Claims* (Docket No. 1311) (the "Objection") filed on behalf of the above-captioned jointly administered Chapter 11 debtors (collectively, "BlockFi" or the "Debtors").

Background.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: BlockFi Inc. (0015); BlockFi Trading LLC (2487); BlockFi Lending LLC (5017); BlockFi Wallet LLC (3231); BlockFi Ventures LLC (9937); BlockFi International Ltd. (N/A); BlockFi Investment Products LLC (2422); BlockFi Services, Inc. (5965) and BlockFi Lending II LLC (0154). The location of the Debtors' service address is 201 Montgomery Street, Suite 263, Jersey City, NJ 07302.

4. On or about March 16, 2021, I opened two (2) consumer accounts with BlockFi (Customer ID ending in b8ba, collectively, the “BlockFi Accounts”); one (1) BlockFi Interest Account (the “Interest Account”) and one (1) proof of claim for my BlockFi Wallet account (the “Wallet Account”).

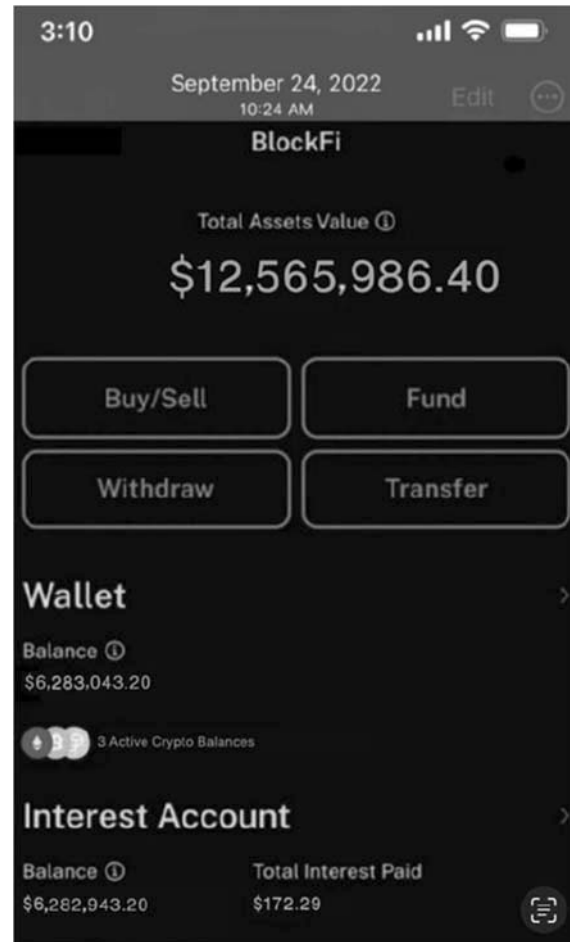
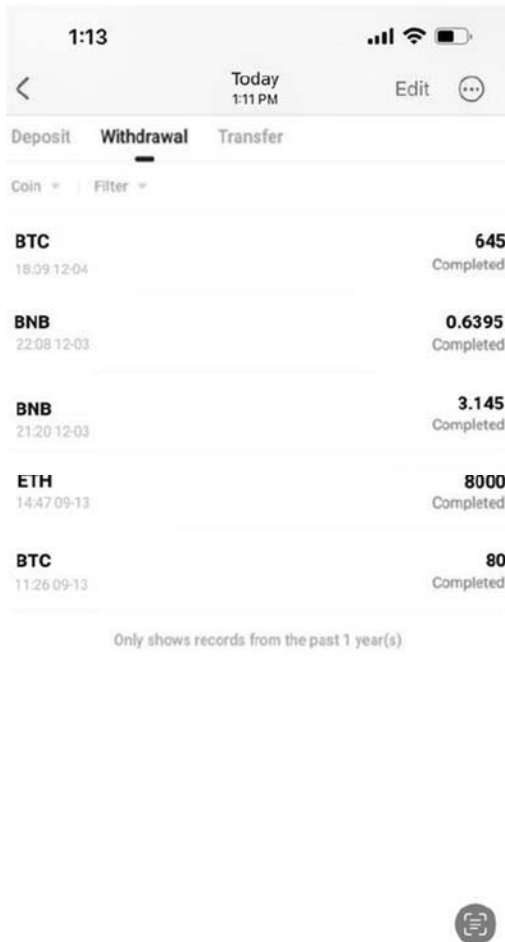
5. At all times relevant, I have been the only person with authorization to access the BlockFi Accounts.

6. A friend, Juliermo Araujo Vieira (“Mr. Vieira”), had a substantial amount of my cryptocurrency on deposit with Kucoin.

7. On or about September 15, 2022, I was advised that Mr. Vieira transferred a total of 80 Bitcoin (“BTC”) and 8,000 Ethereum (“ETH”) from Kucoin to my BlockFi Accounts (collectively, the “Deposits”). *See* a true and correct copy of the original and translated versions of the August 27, 2023 affidavit of Mr. Vieira confirming his transfer of the Deposits to my BlockFi Accounts annexed hereto as **Exhibit A**.

8. On or about September 16, 2022, the Deposits posted to my BlockFi Accounts.

9. Screenshots reflect the 80 BTC and 8,000 ETH withdrawn from Mr. Vieira’s account and transferred to my BlockFi Accounts on September 13, 2022:



10. At no time did I withdraw the Deposits and those assets remained in my BlockFi Accounts until the date of the Debtors' petition on November 28, 2022 (the "Petition Date").

11. I did not authorize the Debtors, or any other persons and entities, to withdraw the Deposits from my BlockFi Accounts.

12. Shortly after the Petition Date on November 28, 2022, I attempted to check the balance of my BlockFi Accounts, and I was not able to log into those Accounts.

13. I waited to obtain access to my BlockFi Accounts as this Bankruptcy Case unfolded, and could not check my Account balances, history, or other account information on the BlockFi website or on the app for a period of months.

14. On or about February 12, 2023, and prior to retaining my current bankruptcy counsel, I received a letter in the mail on behalf of the Debtors with proof of claim forms to be filled out and mailed back with the amounts I had in my accounts as of the Petition Date.

15. I prepared and filed, *pro se*, two (2) proofs of claim (collectively, the “Proofs of Claim”).

16. I mailed both completed Proofs of Claims on or about February 21, 2023 for filing, and shortly thereafter received confirmation that the claims were received by Kroll Restructuring Administration (“Kroll”).

17. On February 23, 2023, the proof of claim related to the Interest Account as to BlockFi Inc. and BlockFi Lending LLC in the amount of \$5,317,212.00 was assigned claim number 5503 (the “Claim No. 5503”).

18. On February 23, 2023, the proof of claim related to my Wallet Account as to BlockFi Wallet LLC in the amount of \$5,317,212.00 was assigned claim number 3419 (the “Claim No. 3419”).

19. On June 13, 2023, I received an email on behalf of the Debtors requesting additional documentation in order to support my Proofs of Claim.

20. Around that time, and to respond to the Debtors’ request for more information about my Proofs of Claims, and for the first time since the Petition Date, I was able to login to the BlockFi Wallet Account, which at that time reflected a balance of zero dollars (\$0.00), and the Interest Account which reflected a balance of four cents (\$0.04).

21. On August 3, 2023, the Debtors caused the Objection to be filed in the Bankruptcy Case seeking to expunge and modify my Claims down to effectively zero dollars (\$0.00).

22. On August 21, 2023, I retained Middlebrooks Shapiro, P.C. to represent my interests in these proceedings and assist me in responding to the Debtors' Objection.

23. I subsequently demanded from the Debtors, through my counsel, by way of a Rule 2004 Subpoena (the "Subpoena"), production of documents and information related to my BlockFi Accounts so that I can further substantiate my Proofs of Claims and to figure out what happened to the Deposits post-Petition during this Bankruptcy Case.

24. In partial compliance with the Subpoena, the Debtors produced certain documents and information, including basic account information, and copies of the Debtors' internal dashboard.

25. However, the Debtors have refused to respond with other crucial, relevant information regarding any potential hacks or security breaches which may be the cause of the disappearance of the Deposits.

26. Further, I have been advised that on September 5, 2023 the Debtors filed a motion to quash (Docket No. 1447) my Subpoena seeking that information related to my Claims, and that the Debtors refuse to shed any further light on the facts at the core of these missing Deposits.

27. I also understand that the hearing on the Debtors' motion to quash my Subpoena is scheduled for October 10, 2023, which is after the hearing currently scheduled on the Debtors' Objection.

Response.

28. Substantial questions remain unanswered by the Debtors regarding post-Petition activity in my BlockFi Accounts, and the whereabouts of the Deposits.

29. Accordingly the Debtors have not met their burden of proof to sustain their Objection to my Claims, which are *prima facie* evidence of the Deposits.

30. I do not know what happened to the Deposits after the Petition Date, because I did not have access to my BlockFi Accounts for a time and could not review or monitor the Accounts.

31. I also do not know what happened to the Deposits after the Petition Date, because the Debtors refuse to provide relevant information and documents related to my BlockFi Accounts.

32. I believe, at this time, that the Debtors may have suffered a data hack and/or security breach of during the course of this Bankruptcy Case which resulted in the Deposits being wrongfully withdrawn or transferred from my BlockFi Accounts.

33. It is my understanding that during the course of this Bankruptcy Case, the Debtors and/or the Debtors' claims agent Kroll did, in fact, suffer data hacks and security breaches.

34. Accordingly, my concerns about loss of the Deposits as a result of data hacks and security breaches are well-founded and are a valid basis for this Response and for demanding discovery from the Debtors.

35. In light of the foregoing, I respectfully request that this Court deny the Debtors' Motion.

36. Further, I respectfully request that this Court direct further discovery on this matter and direct the Debtors' compliance with the Subpoena for documents and information related to my BlockFi Accounts, my Claims, the Deposits, and related to any security breaches and data hack which may be the root cause of the missing Deposits.

37. I also request that this Court grant me such other and further relief deemed just and equitable.

I hereby certify that the statements contained herein are true and correct to the best of my knowledge, information, and belief. If such statements made by me are willfully false, I understand that I am subject to punishment.



Wilson Cotrim

Dated: September 13, 2023

Exhibit

"A"

Exhibit

"A"

STATEMENT

I Julierme Araujo Vieira, Brazilian, single, entrepreneur, holder of ID Card No. 4095061 issued by DGPV/GO, and CPF No. 871.877.281-15, resident and domiciled at 99th Street, block 197, lot 8, Sector Pedro Ludovico, in Goiania, state of Goias. I declare on my honor and for its legal and Judicial effects under penalty of perjury, that:

- 1 – Around September 15, 2022, while I was still residing in the city of Braga, Portugal I transferred 80 BTC (Bitcoin) and 8000 ETH (Ethereum) from the cryptocurrency broker KUCOIN to Wilson Cotrim's account at American Blockfi broker.
- 2 – Since this transference has been taken place long time ago I didn't keep the information of my client Wilson Cotrim.

Julierme Araújo Vieira - Goiânia – GO, August 27, 2023

Affidavit:

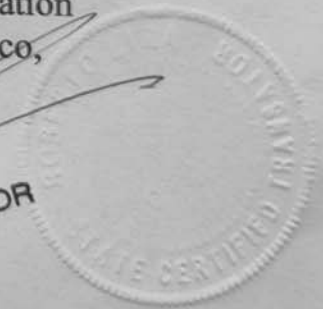
State of California

County of San Francisco)ss.

This is to certify that the translation above is a true and correct rendition from Portuguese into English to the best of my knowledge and belief.

Roberto Lima, State certified translator/interpreter under state certification No. 100-901-84 and filed with the Brazilian Consulate in San Francisco, CA.


ROBERTO LIMA TRANSLATOR
STATE CERTIFIED
10090184



DECLARAÇÃO

Eu Julierme Araújo Vieira, brasileiro, solteiro, empresário, portador da cédula de identidade número 4095061.DGPC GO e do CPF número 871.877.281-15, residente e domiciliado Rua 1099, Q. 197, L. 8, Setor Pedro Ludovico, Goiânia-GO. Declaro pela minha honra e para seus jurídicos e legais efeitos sob penalidade da lei, que.

1 - Por volta do dia 15 (quinze) de setembro de 2022 enquanto morava na cidade de Braga em Portugal eu transferei 80 BTC (Bitcoin) e 8000 ETH (Ethereum) da corretora de crypto moedas KUCOIN para a carteira de Wilson Cotrim na corretora Americana Blockfi.

2 - Como faz muito tempo que essa transferência aconteceu eu não guardei as informações do meu cliente Wilson Cotrim.


Julierme Araújo Vieira Goiânia-GO, 27 de Agosto de 2023